IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.8943 OF 2004

Union of India and others).. Petitioners

Versus

Rahul Nagtilak).. Respondent

Mr.Y.R.Mishra along with Mr.D.A.Dubey for the Petitioners.

Mr.Saikumar Ramamurthy with Mr.Ramesh Ramamurthy for the Respondent.

CORAM: V.G. PALSHIKAR AND SMT.NISHITA MHATRE, JJ.

DATED: 2ND FEBRUARY 2005

P.C.:

. By this Petition the Petitioner - Union of India has impugned the order passed by the Central Administrative Tribunal on the ground basically that the work on which the Respondent was employed was not a continuing work.

2. However, this aspect has been considered by the Tribunal. The observations of the Tribunal which are impugned in this Petition read as under :

> "15. We have observed that there are three applicants who were engaged prior to the due date as per 1993 Scheme. In their cases outright Interim orders also were given

> which I make absolute. The authorities will continue to utilize their services and consider them for regularization when there is appropriate Group D posts.
>
> 16. As regards the remaining applicants, who have been terminated in Jan. 2003, we revoke the said order which was not formally passed by observing the principles of natural justice and direct the respondents to continue them in service after maintaining their due seniority in terms of date of appointment etc. and they should also be given temporary status, as per the instructions obtained in this behalf should also be regularized when regular vacancies in Group D posts are available.

From the above, it would be seen that the Tribunal has conferred regular temporary status only on three employees and had directed consideration of the others on occurrence of the vacancies. We, see no reason why this order should be interfered with as there is no illegality in that order. Hence, Petition fails and is dismissed.